

**UNITED STATES DISTRICT COURT  
FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

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BROOKE MARROW  
6362 Tulip Street  
Philadelphia, PA 19135

Plaintiff

v.

ROADRUNNER EQUIPMENT LEASING,  
LLC  
4900 S. Pennsylvania Avenue  
Cudahy, Wisconsin 53110

AND

XTRA LEASE LLC  
1801 Park 270 Drive  
Ste 400  
Saint Louis, MO 63146-4027

AND

DARREN D. STOFFER  
502 Saint Ives Crossing  
Apt 502  
Stockbridge, GA 30281-7293

AND

JOHN DOE

Defendants.

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Civil Action No.: 2:22-cv-04238

**NOTICE OF REMOVAL**

TO: THE HONORABLE JUDGES OF THE  
UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Defendants, ROADRUNNER EQUIPMENT LEASING, LLC and DARREN D. STOFFER by and through their attorneys Callahan & Fusco, LLC, file this Notice of Removal of the above-captioned matter from the Philadelphia Court of Common Pleas - Philadelphia County, the jurisdiction in which it is now pending, to the United States District Court for the Eastern District of Pennsylvania, and in support thereof avers as follows:

1. Plaintiff BROOKE MARROW commenced this action on September 27, 2022, by filing a Complaint in the Philadelphia Court of Common Pleas, Philadelphia County, entitled Brooke Marrow vs. Roadrunner Equipment Leasing, LLC, Xtra Lease LLC, Darren D. Stofer, and John Doe Docket No.: 220902724. This action is currently pending in that court. (See **Exhibit A**, Copy of Brooke Marrow Complaint.)

2. Service was made on Roadrunner Equipment Leasing, LLC on September 28, 2022. (See **Exhibit B**, a copy of letter correspondence accepting service).

3. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332(a), and this action may be removed by Defendants pursuant to the provisions of 28 U.S.C. § 1441(a) because it is a civil action wherein: (1) complete diversity of citizenship exists among the parties; and (2) the amount in controversy exceeds \$75,000.00, exclusive of interest and costs.

4. There is complete diversity of citizenship between Plaintiff and Defendants in this action as follows:

- a. This action was commenced by way of a Complaint filed in Philadelphia Court of Common Pleas - Philadelphia County, on September 27, 2022, and docketed accordingly under 220902724.
- b. The Complaint seeks damages as a result of Defendants' alleged negligence in operating a motor vehicle causing a collision with Plaintiff BROOKE MARROW.

- c. At the time this action was commenced and continuing to the present, the **Plaintiff** is a citizen and resident of the **Commonwealth of Pennsylvania**, residing therein at the above-captioned address.
  - d. At the time this action was commenced and continuing to the present, **Defendant ROADRUNNER EQUIPMENT LEASING, LLC** is a business, entity, company, partnership, franchise, fictitious name, proprietorship and/or corporation, existing organized, licensed, and/or qualified under the laws of the State of **Delaware** with its principal place of business in **Wisconsin**.
  - e. At the time this action was commenced and continuing to the present, **Defendant DARREN D. STOFFER** is a natural person residing in the State of **Georgia**.
  - f. At the time this action was commenced and continuing to the present, Defendant **XTRA LEASE LLC** is a business, entity, company, partnership, franchise, fictitious name, proprietorship and/or corporation, existing organized, licensed, and/or qualified under the laws of the State of **Delaware** with its principal place of business in **Missouri**.
5. The amount in controversy, based on the allegations of the Complaint, exceeds the sum of \$75,000.00, exclusive of interest and costs.
6. The present lawsuit is removable from state court to the District Court of the United States pursuant to 28 U.S.C. §1332(a) (1) and §1441(a).
7. Copies of all process, pleadings and orders which have been received by Defendants are filed herewith.
8. This Notice is timely, having been filed within thirty days of service of the Complaint.

9. The undersigned has conferred with the attorney for XTRA LEASE LLC and said Defendant consents to the removal of this matter.

**WHEREFORE**, Defendant ROADRUNNER EQUIPMENT LEASING, LLC and DARREN D. STOFFER requests that this action be removed from the Court of Common Pleas Philadelphia, Philadelphia County, in the State of Pennsylvania, to the United States District Court for the Eastern District of Pennsylvania.

**CALLAHAN & FUSCO, L.L.C.**

/s/ Christopher S. Del Bove

Christopher S. Del Bove, Esquire

Attorney for Defendants ROADRUNNER  
EQUIPMENT LEASING, LLC and DARREN D.  
STOFFER

Dated: October 21, 2022

IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF PENNSYLVANIA

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BROOKE MARROW

Plaintiff

v.

ROADRUNNER EQUIPMENT LEASING,  
LLC; XTRA LEASE LLC; DARREN D.  
STOFFER; and JOHN DOE

Defendants.

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: Civil Action No.: 2:22-cv-04238  
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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing Notice of Removal  
will be served via electronic mail and U.S. mail to all counsel of record:

Adam Getson, Esq.  
WAPNER NEWMAN  
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By: /s/ Christopher S. Del Bove  
Christopher S. Del Bove, Esquire

Dated: October 21, 2022